

Assembly Bill No. 2593

Passed the Assembly August 27, 2014

Chief Clerk of the Assembly

Passed the Senate August 25, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Section 39717 to the Health and Safety Code, relating to greenhouse gases.

LEGISLATIVE COUNSEL'S DIGEST

AB 2593, Bradford. Greenhouse gases: diversity reporting.

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. The act authorizes the state board to include the use of market-based compliance mechanisms. Existing law requires all moneys, except for fines and penalties, collected by the state board from the auction or sale of allowances as part of a market-based compliance mechanism to be deposited in the Greenhouse Gas Reduction Fund and to be available upon appropriation by the Legislature.

This bill would require a business enterprise with gross annual revenues exceeding \$25,000,000 participating in a program administered by the state board that is funded, in whole or in part, from the fund to report annually to the state board regarding its programs to increase procurement from women, minority, and disabled veteran business enterprises, if any.

The people of the State of California do enact as follows:

SECTION 1. Section 39717 is added to the Health and Safety Code, to read:

39717. (a) For the purposes of this section, the following terms have the following meanings:

(1) "Control" means exercising the power to make policy decisions.

(2) "Disabled veteran business enterprise" has the same meaning as defined in paragraph (7) of subdivision (b) of Section 999 of the Military and Veterans Code.

(3) "Minority business enterprise" means a business enterprise that is at least 51 percent owned by a minority group or, in the case of a publicly owned business, at least 51 percent of the stock of

which is owned by one or more minority groups, and whose management and daily business operations are controlled by one or more of those individuals. Minority includes African Americans, Hispanic Americans, Native Americans, and Asian Pacific Americans.

(4) “Operate” means being actively involved in the day-to-day management and not merely officers or directors.

(5) “Women business enterprise” means a business enterprise that is at least 51 percent owned by a woman or, in the case of a publicly owned business, at least 51 percent of the stock of which is owned by one or more women, and whose management and daily business operations are controlled by one or more of those individuals.

(b) (1) A business enterprise with gross annual revenues exceeding twenty-five million dollars (\$25,000,000) participating in a program administered by the state board that is funded, in whole or in part, from the fund shall report annually to the state board regarding its programs to increase procurement from women, minority, and disabled veteran business enterprise, if any.

(2) The business enterprise shall submit the report pursuant to paragraph (1) in an electronic format, as determined by the state board.

(3) The state board shall make the report available to the public on its Internet Web site.

(c) This section does not apply to a business enterprise participating in a program administered by a governmental agency that is not the state board.

Approved _____, 2014

Governor